

BY HAND

Judge Eric R. Komitee
U.S. District Judge EDNY
225 Cadman Plaza East
Brooklyn, NY 11201



November 23, 2022

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ DEC 09 2022 ★

BROOKLYN OFFICE

SP-124/m

(M)

RE: Schulte v. Warden, MDC, 22-CV-766-EK

Dear Judge Komitee,

Beginning ~~Monday~~ ^{Monday} December 19, 2022, I am engaging in a complete hunger strike for an end to this barbaric indefinite solitary confinement. ~~on Monday, December 19, 2022, I am engaging in a complete hunger strike for an end to this barbaric indefinite solitary confinement.~~

For the past 4 years I have been tortured in an American concentration camp—which is in no way an exaggeration. Confined to a parking space or two for 24 hours a day, 7 days a week; speakers blasting 24/7; bright interminable lights 24/7; starvation from skipped meals and reduced food; and NO access to normal leisure activities afforded every DEATH ROW INMATE in the western hemisphere—no library or access to books, no access to television, no access to radio, limited to no phone minutes, visitation, commissary, recreation or BOP programs. Absolutely ZERO human contact whatsoever.

We are to spend our time—24 hours each day, every day, sitting in our torture cages twiddling our thumbs. It is maddening. It is unimaginable pain and suffering. It is immoral, despicable, and downright evil and inhumane. No human being is meant to live his entire life in a steel and concrete box the size of a parking space with no outside contact. There are laws against this treatment—if I were a dog or other animal. But when the United States imposes this torture on man, then it's called "justice."

In the 1985 book "The Body in Pain: The Making and Unmaking of the World" by Elaine Scarry, "To have great pain is to have certainty; to hear about pain is to have doubt." None can ever truly understand the horror and evil of INDEFINITE SOLITARY CONFINEMENT unless they experience it themselves. There is no comparison whatsoever. Charles Dickens wrote that "very few men are capable of estimating the immense amount of torture and agony which this dreadful punishment, prolonged for years, inflicts upon the sufferers... I hold this slow and daily tampering with the mysteries of the brain to be immeasurably worse than any torture of the body... because its wounds are not upon the surface, and it excites few cries that human ears can hear." French historian Alexis de Tocqueville added that solitary "devours the victims incessantly and unmercifully; it does NOT reform, it kills." And the Fourth Circuit recently noted in *Porter v. Clarke*, 923 F.3d 348, 356 (4th Cir. 2019), "Scientific research, regardless of methodology, has produced strikingly consistent results: the deprivation of meaningful social contact and positive environmental stimulation characteristic of solitary confinement subjects prisoners to grave psychological and physiological harms."

I want to die. I can actually feel myself losing my mind through this torture. I have not known an atom's worth of joy or happiness, but only abject pain and suffering. Truly, this torture is worse than any torment of the body. I would gladly switch places with any Jew at Auschwitz in 1942 - at least they were allowed to die. I would be the first in line at the gas chamber, and enthusiastically put my mouth on the nozzle to gulp down as much as possible. I would voluntarily take the suffering and a painful death over the interminable torture of a painful life in solitary confinement - some things are far worse than death. I want to die.

And all this has nothing to do with the wrongful convictions - I have no doubt those would be overturned on appeal - if I were ever permitted to live that long. But the torture of another 2-3+ years tortured in this concentration camp waiting for "justice" is just too much to bear. No matter what a person has done, or what this vile government claims a person has done,
NO HUMAN BEING DESERVES THIS TORTURE nor does any crime warrant it.

It is nearly 2023, and well-established that long-term solitary is a barbaric form of torture that causes both physiological and psychological damage. You could easily order the SAMs unit to be a restricted, open unit like a CMU. Will your legacy be forever marred by your decision to torture me? Heartless, immoral, and notorious as the Plessy v. Ferguson Court? Or enlightened and humane as the Brown v. Board of Education Court? On the day of judgment when you go before God, the judge of the judges, will he congratulate you for torturing and murdering me? Will God permit you to argue based on man-made U.S. precedent or will you be judged based on the laws of God?

All I ask is to be treated humanely; to be treated like a human being. Is that really so much to ask? Is it worth murdering a man simply because you believe him to be guilty of some crime?

11/23/22

Josh Schulte
Jul Sch

post scriptum: Even if you do not believe in God or the last day,
your conscience should still tell you that torture is

ALWAYS WRONG

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OUTGOING
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